

**IN THE INTERNATIONAL BUREAU OF WORLD INTELLECTUAL
PROPERTY ORGANIZATION/PCT EXAMINATION OFFICE**

In re International Application: Barry W. TOWNSEND, et al.

International Application No.: PCT/US05/011304

International Filing Date: 1 April 2005

Title: PROSTHETIC FOOT WITH TUNABLE PERFORMANCE

**STATEMENT UNDER ARTICLE 19(1)
(PCT Rule 46)**

By the accompanying Amendment under Article 19 each of independent claims 1 and 25 has been amended to recite that the "anterior facing convexly curved portion" is a coiled portion of the resilient member. Dependent claims 6 and 26 have been amended to recite that said coiled portion is formed by the reversely curved lower end of the resilient member in the form of a spiral.

These features of the invention are not disclosed in Applicant's own U.S. 2003/0028256A1 (hereinafter Townsend et al.), notwithstanding that Figures 1-27 of Townsend et al. are identical to Applicant's Figures 1-27. The amended claims in the application are specific to features of the invention disclosed in one or more of Figures 28-40 of the application, which are not present in Townsend et al. The use of a coiled portion at the lower end of the resilient calf shank as recited in claims 1 and 25 as amended further increases the active length of the calf shank. Increasing the active length of the calf shank further increases the dynamic response capability of the calf shank itself while allowing the calf shank and coupling element to be more posterior on the foot keel and centrally concealed in the ankle and leg cosmetic covering as referred to on pages 23 and 24 of the application. This feature contributes to increased spring efficiency of the foot as referred to on page 27 of the application. Claims 25 and 36 also recite that the coupling element houses the reversely curved lower end of the calf shank, a feature not disclosed in Townsend et al and contributing to the aforesaid advantages.

By the amendments to claim 13, the calf shank is stated to be resilient,

forming a resilient ankle joint area at a lower end of the calf shank and extending upwardly from the foot keel by way of an anterior facing convexly curved portion of the resilient calf shank. This is contrasted with the cited patent to Jang et al., U.S. 6,514,293 B1, wherein a rigid tubular pylon is connected to an ankle portion 105 of prosthetic foot 100.

The amended claims are believed to be inventive over the documents cited in the International Search Report.

Respectfully submitted,

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